

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JULY 2, 1996
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:01 a.m.
The meeting was recessed by Mayor Golding at 12:10 p.m.

The meeting was reconvened by Mayor Golding at 2:07 p.m. with
Council Member Stallings not present. Mayor Golding adjourned
the meeting at 3:26 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Fishkin (lh/ms)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 2, 1996

Page 2

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Wear-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

FILE LOCATION: MINUTES

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

None.

ITEM-330:

SUBJECT: Multiple Species Conservation Program (MSCP):
Implementing Policies for use in preparing the MSCP
Plan, Subarea Plan and Accompanying Documents.
(See Manager Report CMR-96-139. City-wide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1639 REV.) ADOPTED AS AMENDED AS RESOLUTION R-287583

Accept the City Manager's recommendations for use in
preparing the MSCP Plan, Subarea Plan, and accompanying
documents:

1. The proposed regulations for implementing the MSCP
provide equity for property owners within the proposed
Multi-Habitat Planning Area (MHPA).
2. Implement the Farm Bureau's proposals, except for

deferred mitigation.

3. Retain existing land use policies to locate off-road vehicle parks away from residential areas and proposed conservation areas.

4. Retain existing encroachment limits for Tier IV habitats in the preserve.

SUPPORTING INFORMATION:

On April 23, 1996 the Council adopted various policy positions as recommended by Council Committees, Planning Commission and the City Manager as well as various modified policy positions as portrayed in the Agreement between the Mayor and the wildlife agencies as set forth in Attachment 1 of Manager's Report CMR-96-139. In response to Council and public comment, staff was directed to provide information on the following topics to be discussed at today's meeting:

- Analyze the impacts of the MSCP on landowners within the Multi-Habitat Planning Area (MHPA) and make recommendations to address inequities that might exist.

- Describe how the proposals of the Farm Bureau could be implemented and show the location of existing agricultural uses in the City.

- Provide information on the county's efforts for locating off-road vehicle activities.

- Evaluate the proposal to increase the allowable encroachment in Tier IV habitat (Eucalyptus, disturbed and agriculture) located within the preserve.

- Develop a process in consultation with the wildlife agencies by which chamise chaparral and non-native grasslands will be added to the Significantly Conserved Habitat list.

- Review the proposed MSCP preserve boundary regarding the Egger & Ghio Company property in the Otay River Valley.

- Address the funding plan being prepared by the San Diego Dialogue.

FILE LOCATION: LAND-Multiple Species Conservation
Program (MSCP)

COUNCIL ACTION: (Tape location: A030-C523, D006-E442.)

Hearing began at 10:03 a.m. and recessed at 12:10 p.m.

Council Member Stevens left at 10:40 a.m. and returned at 10:59 a.m.

Council Member Warden left at 10:53 a.m. and returned at 11:07 a.m.

Testimony in opposition was given by Fred Schnaubelt, Arthur Schmitz, Darrell Beck, Jack Gibson, Scott Grossglass, Mark Smith, David Wade, Albert Hanamey, Renata B. Mulry, Anne DeBevoise, Ph D, John DeBevoise, Barry Ross, Janice Zamudio, Lee Hoffman, John Elliott, Richard Miller, Thomas F. Steinke, Keith Rhodes, Rebecca Michael, Frank Konyn, Ken Bernard, Theresa Vasques, Herman Schneider.

Testimony in favor was given by Michael Beck, Jim Peugh, Craig Adams, Eric Anderson, David Owen, Frank Ohrmund, John Ponder, Cindy Burrascano, Craig Benedetto, Allison Rolfe, Jim Whalen.

Hearing resumed at 2:07 p.m. and halted at 3:25 p.m.
Council Member Stallings entered at 2:25 p.m.

Testimony in opposition by Ed Malone.

Testimony in favor by Gayle MacLeod, Kathleen McIntosh and Matt Peterson.

MOTION BY McCARTY TO ADOPT THE RESOLUTION AS AMENDED TO:

1. INCORPORATE THE DEVIATIONS PROCESS THAT IS CURRENTLY ALLOWED UNDER RPO INTO THE FINAL MSCP AS RECOMMENDED BY THE CITY MANAGER.
2. MODIFY THE PROPOSED OR-1-2 ZONE SO THAT ALL PARCELS WITHIN OR PARTIALLY WITHIN THE MSCP PRESERVE, WHERE THE PRESERVE IS AT LEAST 1000 FEET IN WIDTH, SHALL HAVE A MINIMUM DEVELOPMENT AREA OF ONE (1) ACRE WITH ANY DEVELOPMENT ABOVE 25% REQUIRING MITIGATION.
3. MODIFY THE OR-1-2 ZONE TO HAVE THE EXACT SAME DENSITY ENTITLEMENTS AS CURRENT ZONING RESTRICTIONS FOR THAT PROPERTY, CONSISTENT WITH THE GOALS OF THE MSCP AND CONSISTENT WITH OUR GOAL OF PROVIDING EQUITY TO THE PROPERTY OWNERS OF SAN DIEGO COUNTY.
4. IMPLEMENT THE FARM BUREAU'S PROPOSALS, EXCEPT FOR DEFERRED MITIGATION, INCLUDING INCIDENTAL TAKE FOR ONGOING AGRICULTURAL OPERATIONS, SAFE HARBOR PROVISIONS, AND ASSURANCES OF AGRICULTURE AND PRESERVE COMPATIBILITY.
5. RETAIN PROPOSED ENCROACHMENT LIMITS FOR TIER IV HABITATS IN THE PRESERVE.
6. DIRECT STAFF THAT ANY AND ALL REVISIONS, MODIFICATIONS OR REDESIGN OF PREVIOUSLY APPROVED PROJECTS ASSOCIATED WITH

IMPLEMENTATION OF THE MSCP PLAN SHALL BE SUBJECT TO SUBSTANTIAL CONFORMANCE REVIEW. SUCH REVISED PROJECTS SHALL RETAIN ALL VESTED DEVELOPMENT RIGHTS SECURED BY PERMITS, APPROVALS AND ENTITLEMENTS PREVIOUSLY ISSUED FOR THE PROJECT, AND SHALL BE CONSIDERED CONSISTENT WITH APPROVED ENVIRONMENTAL DOCUMENTATION AND EXEMPT FROM ADDITIONAL DEVELOPMENT CONDITIONS.

7. DIRECT STAFF TO CONTINUE TO WORK ON THE BRUSH MANAGEMENT ISSUE WITH PARTICULAR SENSITIVITY TO ACCOMMODATING RURAL ROADS THAT MAY BE NARROWER THAN THE ROAD STANDARD.

8. DIRECT STAFF TO WORK WITH THE OFF-ROAD VEHICLE COALITION TO IDENTIFY POSSIBLE APPROPRIATE LOCATION AND DEVELOPMENT CONSIDERATIONS OF A REGIONAL PARK FOR OFF-ROAD VEHICLE ACTIVITY, INCLUDING SUCH ISSUES AS POTENTIAL COSTS, COMMUNITY IMPACTS AND COORDINATION WITH STATE, FEDERAL AND COUNTY AGENCIES.

9. DIRECT STAFF TO CLARIFY THE WETLANDS PROCESS IN RELATIONSHIP TO OTHER AGENCIES PRIOR TO THE CITY COUNCIL'S REVIEW AND CONSIDERATION OF THE FINAL MSCP PLAN.

10. DIRECT STAFF TO CONTINUE TO REVIEW THE LEGALITY AND THE FEASIBILITY OF THE IDEA OF DEFERRED MITIGATION.

11. DIRECT STAFF TO REVIEW AND EVALUATE THE IMPACT ON THE PRESERVE OF THE POSSIBLE EXCLUSION OF A PORTION OF THE 131 ACRE EGGER/GHIO PROPERTY FROM MSCP AS AN ALTERNATIVE.

Second by Vargas. Passed by the following vote:

Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the San Diego Street Light Maintenance District #1. Council will take action at the subsequent hearing scheduled for July 30, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting. (City-wide).

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for July 30, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 2, 1996

Page 6

The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$110,272	\$ 73,427	\$ 183,699
REVENUE:			
Assessments	\$571,305	0	571,305
Interest	31,935	0	31,935
City Contribution	\$262,260	0	\$ 262,260
TOTAL REVENUE	\$865,500	\$ 0	\$ 865,500
TRANSFER			
Transfer to General Fund	(26,160)	0	(26,160)
Transfer to Reserve	(150,000)	150,000	0
Total Cash Available	\$799,612	\$223,427	\$1,023,039
EXPENSE:			
Electrical Energy	\$379,040	\$ 0	\$ 379,040
Maintenance-Operations	262,260	0	262,260
Maint.-Major Repair & Paint	0	200,000	200,000
Centre City Maint. Program	11,500	0	11,500
Engineering & Misc.	94,405	0	94,405
TOTAL EXPENSE	\$747,205	\$200,000	\$ 947,205
ENDING BALANCE	\$ 52,407	\$ 23,427	\$ 75,834

This action establishes the Fiscal Year 1997 assessments for the San Diego Street Light Maintenance District No. 1 ("District"). The District provides funding for the energy and maintenance costs for lighting levels above standard City "Safety Lighting" to 58 subdistricts. New areas are added to the District by annexation. Approximately 40% of the street lights within the District are required for "Safety Lighting." The City pays for this obligation by providing in-kind maintenance service to the District. As a part of this action, it is proposed to annex or amend the following into the District:

1. Property to be known as "El Cajon Blvd. #2" subdistrict as shown in Attachment "A" of the Engineer's Report.
2. Property added to the "Golden Hill" subdistrict as shown in

Attachment "B" of the Engineer's Report.

All property owners in the above areas to be annexed or amended will be notified of the proposed annexation hearings and their rights regarding protest of the proposed actions. The proposed assessment to the District for Fiscal Year 1997 is \$571,305. The District assessment has increased \$30,040 from Fiscal Year 1996 due to subdistrict annexations and a change in assessable Frontage in the subdistricts. The assessable rates to each subdistrict has remained the same as Fiscal Year 1996. Assessment costs vary for each subdistrict depending on the number and type of lights. Subdistrict costs are divided by the amount of assessable street frontage within each subdistrict to calculate a rate for each subdistrict. Proposed Fiscal Year 1997 assessment rates for each of the 58 subdistricts including the proposed annexations are displayed in Attachment "C" of the Engineer's Report.

FILE LOCATION: STRT - M-390

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the Downtown Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 30, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting.

(Districts-2, 3 and 8.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled

for July 30, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Downtown Maintenance Assessment District which was formed in January 1972 by Council resolution. The Downtown Maintenance District provides specialized services such as litter and graffiti control, street tree maintenance and sidewalk cleaning to six zones within the district as well as maintaining a system of open space/parks (Zone 6) for the benefit of all properties within the boundaries of the district. The Fiscal Year 1997 proposed budget for the district is as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$323,542	\$ 323,542
REVENUE:			
District Assessments	\$ 641,581	0	641,581
Interest	0	9,722	9,722
City Contribution:			
a. Gas Tax Fund	13,615	0	13,615
TOTAL REVENUE	\$ 655,196	\$ 9,722	\$ 664,918
TRANSFER FROM RESERVE	289,489	(289,489)	0
Total Cash Available	\$ 944,685	\$ 43,775	\$ 988,460
EXPENSE:			
Personnel	\$ 457,130	\$ 0	\$ 457,130
Contractual Maint.	239,467	0	239,467
Incidental Expense	222,633	0	222,633
Utilities	25,455	0	25,455
TOTAL EXPENSE	\$ 944,685	\$ 0	\$ 944,685
ENDING FUND BALANCE	\$ 0	\$ 43,775	\$ 43,775

NOTE:

- a. Gas Tax Fund contributes \$13,615 for graffiti control and median landscaping.

Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 2, 1996

Page 9

The total amount proposed to be assessed to the district for Fiscal Year 1997 is \$641,581, compared with \$685,491 for Fiscal Year 1996.

ZONE	FY '97	FY '96	DIFFERENCE
Zone 1	\$ 90,216	\$108,036	(\$17,820)
Zone 2	102,832	117,215	(14,383)
Zone 3	317,723	346,548	(28,825)
Zone 4	30,807	39,941	(9,134)
Zone 5	21,575	27,051	(5,476)
Zone 6	55,226	46,700	8,526
Zone 7	23,202	0	23,202
Total	\$641,581	\$685,491	(\$43,910)

Five of the seven zones cost estimates have decreased from the Fiscal Year 1996 assessment.

Zone 6 (Open Space/Parks) has increased as a result of adding the maintenance of the MTDB Landscaped Right-of-Way, the Gaslamp Square Park and Children's Park Pond to the district. Zone 7 is a newly created zone that will maintain approximately 350 recently planted trees within the Centre City East community per the community's request.

FILE LOCATION: STRT - M-386

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the Mid-City Landscape and Lighting Maintenance District. Council will take action at the subsequent hearing scheduled for July 30, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting. (Dists. 2 & 3)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for July 30, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Mid-City Landscape and Lighting Maintenance District. The district was established in July 1987 to provide maintenance of street trees, 4,792 square feet of landscaped medians, benches and street lights within the district boundaries. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 80,800	\$ 80,800
REVENUE:			
Assessments	\$ 61,387	0	61,387
Interest	0	3,240	3,240
City Contribution	\$ 575	0	\$ 575
TOTAL REVENUE	\$ 61,962	\$ 3,240	\$ 65,202
TRANSFER	28,362	(28,362)	0
EXPENSE:			
Personnel	\$ 13,328	\$ 0	\$ 13,328
Contractual	41,650	0	41,650
Incidental	24,915	0	24,915
Utilities	10,431	0	10,431
TOTAL EXPENSE	\$ 90,324	\$ 0	\$ 90,324
ENDING BALANCE	\$ 0	\$ 55,678	\$ 55,678

The proposed assessments for Fiscal Year 1997, per front foot for each Sub-Area is tabulated below:

Front Foot Assessment

Description	FY 97	FY 96	% Increase
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Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 2, 1996

Page 11

Area 1	\$9.34	\$9.34	0
Area 2	\$6.99	\$6.99	0
Area 4	\$5.14	\$5.14	0
Area 8	\$9.44	\$9.44	0
Area 10	\$2.85	\$0.00	100

The assessment in Area 10 is being levied in FY 97 at \$2.85 per front foot. This assessment was zero in FY 96. The zero assessment was possibly due to the application of excess reserves that had accumulated in the sub-area. The FY 97 assessment is 38 percent lower than the FY 95 assessment of \$4.60 per front foot.

FILE LOCATION: STRT - M-388

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Public meeting regarding the annual assessments for the Gaslamp Quarter Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1433) ADOPTED AS RESOLUTION R-287576

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Gaslamp Quarter Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Gaslamp Quarter Landscape and Lighting Maintenance District. The district was established in 1981 to provide landscaping, tree maintenance, sidewalk litter control, graffiti removal, and electrical energy and maintenance for the ornamental street lighting within the district. The district also pays for 20% of the cost to maintain the Gaslamp Square Park located south of "L" Street between Fifth and Sixth Streets. The remaining 80% of the cost to maintain this park is paid for by the Downtown Maintenance Assessment District and the City.

The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$104,169	\$ 104,169
REVENUE:			
Assessments	\$ 248,206	0	248,206
Interest	0	3,396	3,396
City Contribution	\$ 13,000	0	\$ 13,000
TOTAL REVENUE	\$ 261,206	\$ 3,396	\$ 264,602
TRANSFER	86,336	(86,336)	0
EXPENSE:			
Personnel	\$ 153,611	\$ 0	\$ 153,611
Contractual	71,959	0	71,959
Incidental	86,725	0	86,725
Utilities	35,247	0	35,247
TOTAL EXPENSE	\$ 347,542	\$ 0	\$ 347,542
ENDING BALANCE	\$ 0	\$ 21,229	\$ 21,229

Individual assessments in this district vary depending on the following:

(a) The level of service provided (maxi- or mini-service); (b) The number of stories of a building; and (c) The parcel lot size or the square footage of the building, whichever is greater. The proposed Fiscal Year 1997 assessments to individual parcels are

based on the adjusted square footage of a parcel and range from a low of \$0.0423 per square foot (mini-service) to \$0.4328 per square foot (maxi-service). The proposed Fiscal Year 1997 assessments are the same as Fiscal Year 1996.

FILE LOCATION: STRT - M-396

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING AND ADOPT RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Public meeting regarding the annual assessments for the Eastgate Technology Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1413) ADOPTED AS RESOLUTION R-287577

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Eastgate Technology Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Eastgate Technology Landscape Maintenance District (LMD). The district was established in August 1986 to provide maintenance

for landscaped medians, right-of-ways, pedestrian easement areas, slopes, open space, monument areas and a public mini-park within the district. The district maintains 20,683 sq. ft. of landscaped medians and 71 acres of open space. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 98,633	\$ 98,633
REVENUE:			
Assessments	\$ 123,670	0	123,670
Interest	0	5,561	5,561
City Contribution	\$ 4,257	0	\$ 4,257
TOTAL REVENUE	\$ 127,927	\$ 5,561	\$ 133,488
TRANSFER	45,906	(45,906)	0
EXPENSE:			
Personnel	\$ 26,925	\$ 0	\$ 26,925
Contractual	95,000	0	95,000
Incidental	26,558	0	26,558
Utilities	25,350	0	25,350
TOTAL EXPENSE	\$ 173,833	\$ 0	\$ 173,833
ENDING BALANCE	\$ 0	\$ 58,288	\$ 58,288

The proposed assessment for Fiscal Year 1997 is \$1,169.50 in Zone 1. The proposed assessment for Zone 2 is \$82.58 and zero in Zone 3. The assessment is the same as Fiscal Year 1996. The district contains 109.8 net acres. Zone 1 is 105.5; Zone 2 is 3.5; Zone 3 is 0.8.

FILE LOCATION: STRT - M-395

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING AND ADOPT RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor

Golding-yea.

ITEM-336:

SUBJECT: Public meeting regarding the annual assessments for the Del Mar Terrace Street Repair and Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1416) ADOPTED AS RESOLUTION R-287578

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Del Mar Terrace Street Repair and Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Del Mar Terrace Street Repair and Maintenance District that was established in Fiscal Year 1995. The District provides funding for the repair and maintenance of streets within the boundaries of the district. Assessments in future years will provide funds to seal coat and overlay the streets when needed. The costs for this repair and maintenance are "spread" to property owners in the district based on each parcel's benefit. This benefit is determined by a parcel's existing use and corresponding "Equivalent Dwelling Units" (EDU's). Current parcel land uses and corresponding EDU's are as follows:

Single Family Dwelling	1.0 EDU per Dwelling
Multi-Family Dwelling	0.7 EDU per Dwelling
Commercial	15.0 EDU per Acre

The District contains a total of 333.5 EDU's.

In Fiscal Year 1997, it is proposed that the City's charges for administrative charges and periodic inspections of the asphalt paving to determine if a seal coat and asphalt overlay is required be withdrawn from the District's Reserve Fund. These combined administrative and inspection charges are estimated not to exceed \$6,000. This will result in a zero (\$0.00) assessment to all parcels within the District and is the same as the Fiscal Year 1996 assessment.

FILE LOCATION: STRT - M-394

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING AND ADOPT RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337:

SUBJECT: Public meeting regarding the annual assessments for the Carmel Valley Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1477) ADOPTED AS RESOLUTION R-287579

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Carmel Valley Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Carmel Valley Landscape Maintenance District (LMD). The district was established in July 1987 to provide maintenance for open space in addition to medians, streetscapes, slopes and six mini-parks within the district boundaries. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$549,332	\$ 549,332
REVENUE:			
Assessments	\$ 762,530	0	\$ 762,530
Interest	0	19,696	19,696
City Contribution	\$ 45,100	0	\$ 45,100
TOTAL REVENUE	\$ 807,630	\$ 19,696	\$ 827,326
TRANSFER	354,168	(354,168)	0
EXPENSE:			
Personnel	\$ 108,458	\$ 0	\$ 108,458
Contractual	696,000	0	696,000
Incidental	158,340	0	158,340
Utilities	199,000	0	199,000
TOTAL EXPENSE	\$1,161,798	\$ 0	\$1,161,798
ENDING BALANCE	\$ 0	\$214,860	\$ 214,860

The proposed assessments for Fiscal Year 1997 are \$38.96 (Zones 1, 4, 5 & 6); \$59.41 (Zone 7); \$70.17 (Zone 2) and \$239.46 (Zone 3) per equivalent dwelling unit (EDU). Zones 1, 4, 5 & 7 remain unchanged from Fiscal Year 1996. Zones 2, 3 & 6 have reductions of 71.9 percent, 1.69 percent and 68.7 percent due to a revised contractual maintenance contract. The district contains 11,482.2 equivalent dwelling units.

FILE LOCATION: STRT - M-393

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING AND ADOPT

RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338:

SUBJECT: Public meeting regarding the annual assessments for the Campus Point Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1390) ADOPTED AS RESOLUTION R-287580

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Campus Point Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Campus Point Landscape Maintenance District (LMD). The district was established in May 1981 to provide maintenance of twenty-five (25) acres of open space. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 23,732	\$ 23,732
REVENUE:			
Assessments	\$ 22,015	0	22,015
Interest	0	1,377	1,377
City Contribution	\$ 625	0	\$ 625

Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 2, 1996

Page 19

TOTAL REVENUE	\$ 22,640	\$ 1,377	\$ 24,017
TRANSFER	11,015	(11,015)	0
EXPENSE:			
Personnel	\$ 5,385	\$ 0	\$ 5,385
Contractual	15,000	(0)	15,000
Incidental	6,870	0	6,870
Utilities	6,400	0	6,400
TOTAL EXPENSE	\$ 33,655	\$ 0	\$ 33,655
ENDING BALANCE	\$ 0	\$ 14,094	\$ 14,094

The proposed assessment for Fiscal Year 1997 is \$425 per net acre. The assessment amount per acre in Fiscal Year 1996 was also \$425. The district contains 51.8 net acres in 14 parcels that range in size from 2.2 to 10.2 net acres.

FILE LOCATION: STRT - M-392

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING AND ADOPT RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-339:

SUBJECT: Public meeting regarding the annual assessments for the Newport Avenue Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1396) ADOPTED AS RESOLUTION R-287581

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Newport Avenue Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Newport Avenue Landscape Maintenance District (LMD). The district was established in July 1989 to provide maintenance of landscape planters in the public right-of-way and front footage along Newport Avenue which totals 3,425 feet. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 26,664	\$ 26,664
REVENUE:			
Assessments	\$ 33,360	0	\$ 33,360
Interest	0	553	553
TOTAL REVENUE	\$ 33,360	\$ 553	\$ 33,913
TRANSFER	5,331	(5,331)	0
EXPENSE:			
Personnel	\$ 8,077	\$ 0	\$ 8,077
Contractual	10,000	(0)	10,000
Incidental	8,527	0	8,527
Utilities	1,425	0	1,425
TOTAL EXPENSE	\$ 28,029	\$ 0	\$ 28,029
ENDING BALANCE	\$ 10,662	\$ 21,886	\$ 32,548

The proposed assessment for Fiscal Year 1997 is \$9.74 per front foot. The assessment is the same as Fiscal Year 1996. The district contains a total of 3,425 feet of front footage along Newport Avenue.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 2, 1996**

Page 21

FILE LOCATION: STRT - M-406

COUNCIL ACTION: (Tape location: A004-021.)

Hearing began at 10:01 a.m. and halted at 10:03 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING AND ADOPT RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-500:

SUBJECT: Fiscal Year 1998 Labor Contract Extensions and Retirement System Changes.

(Continued from the meeting of June 24, 1996, taken on June 25, 1996, Item 208, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1593) ADOPTED AS RESOLUTION R-287582

Approving the tentative agreements with Local 145 of the International Association of Fire Fighters (Local 145), the San Diego Municipal Employees' Association (MEA), and Local 127 of the American Federation of State, County and Municipal Employees' Association (Local 127), regarding wages, hours, and other terms and conditions of employment for Fiscal Year 1998; Approving the proposed benefit increase changes to the City Employees' Retirement System (CERS), contingent upon an affirmative vote of the participants.

CITY MANAGER SUPPORTING INFORMATION:

The Management Team of the City of San Diego has met and conferred with Local 145 of the International Association of Firefighters (Local 145), with the Municipal Employees' Association (MEA), and with Local 127 of the American Federation

of State, County and Municipal Employees' Association (Local 127) regarding wages, hours and other terms and conditions of employment for the respective employees that each represents. Pursuant to these negotiations, the Management Team has agreed to the provisions summarized in the tentative agreements with each of these three labor organizations for FY 98 Memorandum of Understanding extensions. In addition, the Management Team has met and conferred with POA, Local 145, MEA and Local 127 regarding changes to the San Diego City Employees' Retirement System (CERS). All four labor organizations have tentatively agreed to the terms of this proposal subject to various contingencies contained in the agreements. Subsequent to this approval by the City Council, and an affirmative vote of the retirement system members, related to retirement benefits, the terms of these agreements will be incorporated into Memorandum of Understanding language for Council approval, and the retirement systems changes will be incorporated into Municipal Code revisions for approval of necessary Ordinances by the Council.

FILE LOCATION: MEET CONFY97-4

COUNCIL ACTION: (Tape location: A004-021.)

CONSENT MOTION BY STALLINGS TO ADOPT RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:26 p.m. in honor of the memory of John M. Murphy as requested by Council Member Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E444-459).

